

§ 1572.400

- (i) A valid U.S. passport; or
- (ii) One or more other document(s), including a form of U.S. Federal or state Government-issued identification with photograph, acceptable to CBP.
- (3) *Compliance.* If a carrier attempts to enter the U.S. without having complied with this section, CBP will deny entry of the explosives and may take other appropriate action.

Subpart D [Reserved]

Subpart E—Fees for Security Threat Assessments for Hazmat Drivers

§ 1572.400 Scope and definitions.

- (a) *Scope.* This part applies to—
 - (1) States that issue an HME for a commercial driver's license;
 - (2) Individuals who apply to obtain or renew an HME for a commercial driver's license and must undergo a security threat assessment under 49 CFR part 1572; and
 - (3) Entities who collect fees from such individuals on behalf of TSA.
- (b) *Terms.* As used in this part:
 - Commercial driver's license (CDL)* is used as defined in 49 CFR 383.5.
 - Day* means calendar day.
 - FBI Fee* means the fee required for the cost of the Federal Bureau of Investigation (FBI) to process fingerprint records.
 - Information Collection Fee* means the fee required, in this part, for the cost of collecting and transmitting fingerprints and other applicant information under 49 CFR part 1572.
 - Threat Assessment Fee* means the fee required, in this part, for the cost of TSA adjudicating security threat assessments, appeals, and waivers under 49 CFR part 1572.
 - TSA agent* means an entity approved by TSA to collect and transmit fingerprints and applicant information, in accordance with 49 CFR part 1572, and fees in accordance with this part.

§ 1572.401 Fee collection options.

- (a) *State collection and transmission.* If a State collects fingerprints and applicant information under 49 CFR part 1572, the State must collect and transmit to TSA the Threat Assessment Fee, in accordance with the requirements of 49 CFR 1572.403. The State

49 CFR Ch. XII (10–1–07 Edition)

also must collect and remit the FBI fee, in accordance with established procedures.

- (b) *TSA agent collection and transmission.* If a TSA agent collects fingerprints and applicant information under 49 CFR part 1572, the agent must—

- (1) Collect the Information Collection Fee, Threat Assessment Fee, and FBI Fee, in accordance with procedures approved by TSA;
- (2) Transmit to TSA the Threat Assessment Fee, in accordance with procedures approved by TSA; and
- (3) Transmit to TSA the FBI Fee, in accordance with procedures approved by TSA and the FBI.

[72 FR 3595, Jan. 25, 2007; 72 FR 14050, Mar. 26, 2007]

§ 1572.403 Procedures for collection by States.

This section describes the procedures that a State, which collects fingerprints and applicant information under 49 CFR part 1572; and the procedures an individual who applies to obtain or renew an HME, for a CDL in that State, must follow for collection and transmission of the Threat Assessment Fee and the FBI Fee.

- (a) *Imposition of fees.* (1) The following Threat Assessment Fee is required for TSA to conduct a security threat assessment, under 49 CFR part 1572, for an individual who applies to obtain or renew an HME: \$34.

- (2) The following FBI Fee is required for the FBI to process fingerprint identification records and name checks required under 49 CFR part 1572: the fee collected by the FBI under Pub. L. 101–515.

- (3) An individual who applies to obtain or renew an HME, or the individual's employer, must remit to the State the Threat Assessment Fee and the FBI Fee, in a form and manner approved by TSA and the State, when the individual submits the application for the HME to the State.

- (b) *Collection of fees.* (1) A State must collect the Threat Assessment Fee and FBI Fee, when an individual submits an application to the State to obtain or renew an HME.

- (2) Once TSA receives an application from a State for a security threat assessment under 49 CFR part 1572, the